
**FARGO-MOORHEAD METROPOLITAN
COUNCIL OF GOVERNMENTS**

PUBLIC PARTICIPATION PLAN (PPP)

Adopted: August 20th, 2009

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FARGO-MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS

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[ADOPTED AUGUST 20, 2009]

ALL QUESTIONS, COMMENTS OR REQUESTS FOR DOCUMENTS AND/OR SERVICES MAY BE DIRECTED VIA PHONE, FAX, E-MAIL OR IN PERSON TO:

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THIS DOCUMENT IS DRAFTED IN PART TO MEET FEDERAL REQUIREMENTS SET FORTH IN THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA) OF 1991 AND THE SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS (SAFETEA-LU) OF 2005. THE DOCUMENT HAS BEEN PROVIDED TO THE FOLLOWING AGENCIES:

FEDERAL HIGHWAY ADMINISTRATION (FHWA)
MINNESOTA DEPARTMENT OF TRANSPORTATION (MNDOT)
NORTH DAKOTA DEPARTMENT OF TRANSPORTATION (NDDOT)

THE ADOPTED PUBLIC PARTICIPATION PLAN (PPP) IS AVAILABLE IN ITS ENTIRETY ON THE METRO COG WEBSITE AT WWW.FMMETROCOG.ORG OR IN HARD COPY AT METRO COG OFFICES LOCATED AT 1 NORTH 2ND STREET (CASE PLAZA), FARGO ND 58102. ADDITIONALLY, OTHER INFORMATION INCLUSIVE OF STUDIES, PLANNING DOCUMENTS, TRANSPORTATION PLANS, AGENDA'S AND MEETING MINUTES ARE LOCATED ON THE METRO COG WEBSITE

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INTRODUCTION

As a designated Metropolitan Planning Organization (MPO) the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) is a transportation policy-making organization as authorized under the Federal Surface Transportation Act of 1973. In 1991, Congress approved the Intermodal Surface Transportation Efficiency Act (ISTEA) which required continuous, cooperative and coordinated urban transportation planning for those cities that receive federal funding. Further, the legislation initiated the requirements that MPO's establish an all-inclusive decision making process that provided detailed information to the public in regards to Metropolitan Transportation Plans (MTP) and Transportation Improvement Plans (TIP). Subsequently, in 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For User's (SAFETEA-LU) was implemented which expanded the requirements for public involvement. This authorization, more specifically Title 23 Code of Federal Regulations Part 450 (23 CFR 450) and (49 CFR 613), required MPO's to create and utilize public participation plans thereby developed in direct coordination with interested parties. The overall intent of the authorizing act is focused on the need to include the public in the establishment of transportation plans. In 2006 Metro COG revised and updated the public participation plan to accommodate provisions as defined under SAFETEA-LU; the process was inclusive of the public per federal requirements. In 2009, Metro COG completed revisions to address comments within the Federal Highway Administration (FHWA) MPO Transportation Planning Report; again, inclusive of the public per federal requirements.

GENERAL STATEMENT OF INTENT

Federal regulations pertaining to the metropolitan planning provisions of SAFETEA-LU contain minimum requirements for public involvement associated with specific elements of a MPO's transportation planning process. Metro COGs 2006 plan with 2009 updates will comply with federal regulations, it will supplement previous Metro COG citizen and affirmative action policies, and it will replace previous federal private participation requirements.

Purpose: In accordance with the SAFETEA-LU every metropolitan planning organization (MPO) must develop, adopt and implement formalized procedures for effective community participation to be used during the development, updating, or amending of its Metropolitan Transportation Plan (MTP), any of its sub elements or the Transportation Improvement Program (TIP). The purpose of Metro COGs policy statement is to formally define the procedures to be utilized by the Council to assure satisfactory public participation in Metro COGs transportation planning program. The process described herein is intended to ensure effective public involvement in the Council's transportation planning activities and to comply with applicable federal rules; including, 23 CFR 450.316 and 23 CFR 450.306 of the proposed regulations as published in the Federal Register dated April 1, 2008.

PUBLIC PARTICIPATION PLAN

Goal: The Fargo-Moorhead Metropolitan Council of Government's public participation plan goal includes the provision of a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing sub elements of the Transportation Plan (MTPs) and the Transportation Improvement Programs (TIPs).

Objectives: The principle objectives of the Fargo-Moorhead Metropolitan Council of Government's public participation process are outlined in detail below:

- To actively seek input and involvement from a wide variety of individuals, groups and organizations affected by the transportation system;
- To establish and facilitate effective public involvement early in the planning process, before key decisions are made and while there is ample opportunity to influence decisions;
- To promote informed and thoughtful public input in regards to the decision making process by providing access to information in a timely manner;
- To fully consider and respond to public input;
- To utilize public involvement in the development of transportation plans, programs and projects which are representative of local, regional and state priorities/needs while incorporating a range of transportation options;
- To develop a public participation plan in consultation with interested parties and to update periodically as deemed necessary;
- To employ to the maximum extent practicable, visualization techniques, which may include:
 - Artist Renderings, Computer Modeled Images, Computer Simulations, Drawings, Flowcharts, Maps, Models, Photo Manipulation, Scenario Planning Tools, Simulated Photos, Sketches, Videos or Visual Preference Surveys.

PUBLIC PARTICIPATION PLAN OUTREACH & CRITERIA

The federal rules governing metropolitan planning for transportation specify minimum standards that MPOs public participation process must achieve (23 CFR 450) in regards to the development of the MTP and TIP. These requirements form the basis of the criteria that will guide Metro COG in carrying out its public participation process. That process will comply with the following standards to the maximum extent feasible; and in addition, will follow the specific procedures for MTP and TIP preparation or amendment as identified in specific detail within this public participation plan policy.

Outreach Activities: Metro COG recognizes the importance of including a broad range of citizen participation and communication techniques in the drafting and implementation phases of regional transportation plans. Therefore, Metro COG utilizes a variety of methods to inform and educate the public during transportation plan updates, transportation plan amendments or general planning studies that directly involve federal funding. The designed public participation plan, medium and approach are related to the type of planning activity and are defined in specific detail per 23 CFR 450 requirements within this public participation plan for the Metropolitan Transportation Plan (MTP), Transportation Improvement Plan (TIP) and any associated amendments to these documents. Metro COG generally utilizes the following methods and techniques:

- *Public Informational Meetings:* These meetings generally function in coordination with transportation plan updates or planning studies with the overall intent of involving the public in the determination and consideration of various alternatives.
- *News Media (Radio, Television, Newspapers):* Metro COG utilizes the identified media to disseminate agendas, public notices and announcements. Notice of public involvement opportunities may include posting of notices in public places, direct notification of interested parties identified in the process, publication (legal or public ads) in local newspapers, and/or direct contacts with various media;
- *Web Based Media (www.fmmetrocog.org):* The Metro COG website is updated to accommodate the timely delivery of information to the public. Information inclusive of meeting agendas, notices, announcements, draft/final plans, minutes, maps and studies are located on the web in accessible formats to the public.
- *Interested and Affected Parties Contact List:* Metro COG maintains an extensive list of public participation contacts which includes representation from the following groups, organizations or associations:
 - Minority and Low Income Populations; Elderly and Disabled Populations; Transportation Providers; Freight Providers; Public and Private Transit Operators; Federal, State and Local Government Agencies; Special Interest Groups; and Interested Members of the Public. Contact lists are further delineated under the respective transportation plan review procedure.
 - Any interested individual(s), groups, organizations or associations can be added to Metro COG's 'Interested and Affected Parties Contact List' by simply contacting Metro COG at either 701.232.3242 or via email at metrococ@fmmetrocog.org. Metro COG utilizes the contact list to distribute information (i.e. public notices, announcements, updates, meeting dates), solicit comments on regional transportation plans, and, most importantly to keep interested parties connected to the transportation planning process.

- *Citizen Surveys:* On a project specific basis citizen surveys will be used to collect data and other relevant information to provide insight from the community perspective. This information is generally documented within the transportation plan or study.
- *Focus Groups:* This meeting format is utilized by Metro COG to facilitate discussion amongst a defined group of stakeholders in regards to a single topic.
- *Visualization Techniques:* This content focused technique utilizes graphics such as maps, charts, graphs, pictures and renderings to communicate relationships, trends, performance thresholds, deficiencies, issues, recommendations and considerations to the public.
- *Task Force or Sub-Committee:* These specific groups are appointed by the Metro COG Policy Board to oversee certain projects and typically represent a distinct segment of the community and/or interest groups.

Targeted Outreach – Metro COG intends to specifically establish outreach to the following individuals, groups, organizations or populations:

- *Freight Industry:* Metro COG has traditionally struggled to involve freight generating businesses and freight hauling businesses in the regional transportation planning process. Metro COG intends to work towards the establishment of a freight advisory group and the coordinated involvement of freight representatives in the MTP and TIP adoption process through the Interested and Affected Parties Contact List. Further, Metro COG anticipates that future consideration/discussion will be given towards the idea of including representation from this industry on established boards/committees to enhance participation;
- *Human Service Transportation & Environmental Justice:* Metro COG will utilize the already established Metropolitan Transportation Initiative (MTI) to oversee and facilitate discussion in regards to the MTP and TIP with agencies that represent low income, minority, elderly, disabled and refugee clients. See additional information on Pg. 19 regarding Environmental Justice and Impact Assessment; and
- *Environmental Interests:* Metro COG will utilize the already established Environmental Review Committee to oversee and facilitate discussion in regards to the MTP and TIP. This group includes representation from the following industries/interests: land use management, natural resources, conservation, environmental protection, recreation and agricultural.

Table 1 - Summary and Evaluation: The following table further summarizes Metro COG’s public participation outreach methodology in coordination with associated evaluation criteria as used to determine the effectiveness of a public participation strategy.

Table 1: Summary and Evaluation: Outreach Methodology		
Activity/Technique	Audience	Distribution
Public Informational Meetings (PIMs)	Interested & Affected Parties Contact List	Mail, Email, Web, Public Notice
News Media (Radio, TV, Newspapers)	Metropolitan Planning Area	Fax, Email, Phone, Press Release
Web Based Media	All Interested Parties	Website, Downloadable Files (www.fmmetroco.org)
Interested & Affected Parties Contact List	All Interested Parties w/ Notification Provided to Metro COG	Mail, Email, Web, Public Notice
Citizen Surveys	Project Specific	Project Specific
Focus Groups	Project Specific	Direct Invitation (phone or email)
Visualization Techniques	All Interested Parties	n/a
Task Force or Sub-Committee	Project Specific	Direct Appointment by Policy Board

Table 1: Summary and Evaluation: Outreach Methodology (cont.)		
Activity/Technique	Use	Evaluation
Public Informational Meetings (PIMs)	Planning Process, Studies, MTP, TIP	# of Attendees
News Media (Radio, TV, Newspapers)	Agenda's, Public Meeting Announcements, Public Relations	# of Publications & Media Coverage
Web Based Media	Distribution of Information to the Public (ie. Plans, Studies, Analysis)	# of Site Hits Per Month & # of Document Downloads
Interested & Affected Parties Contact List	Information Distribution and Solicitation of Comments	# of Contacts, Diversity of Organizations & # of Non-member Attendees at Meetings
Citizen Surveys	Modal Plans, MTP	Overall Response Rate
Focus Groups	Specific Issue Identification and Consensus Building	# of Attendees/Response Rate
Visualization Techniques	PIMs, Meetings, Presentations, Plan Documents, Ect	n/a
Task Force or Sub-Committee	Specific Project Oversight	# of Attendees/Response Rate

Minimum Federal Requirements and Other Associated Criteria for Implementation of a Participation Plan: Outlined below are the federal requirements for public involvement in the regional transportation plan adoption process, inclusive of other criteria as determined applicable by Metro COG:

- Public Participation Plans shall be developed in coordination with all interested parties;
- Require a minimum public comment period of forty-five (45) days before Metro COGs Public Participation Plan Policy is initially adopted, revised or updated;

- Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties and segments of the community affected by transportation plans, programs and projects;
- Provide reasonable public access to technical and policy information used in the development of the MTP and the TIP, and open public meetings when matters related to federal transportation programs are being considered;
- Provide adequate notice for public review and comment at key decision points; including, but not limited to, approval of the MTP and the TIP (see outreach activities for additional information);
- Solicit and consider the needs of those who are commonly underserved by existing transportation systems, including households with low income, minorities and people with disabilities, and assure participation in compliance with Title VI of the Civil Rights Act and Executive Order 12898 - Environmental Justice;
- Provide for the early involvement of various transportation interests groups (ex., traffic, bicyclists, pedestrians, rideshare, parking, transportation safety and enforcement agencies, rail operators, airport, toll authorities, private transportation providers, public officials, freight shipper's, environmental resource, and permit agencies);
- Ensure that all meetings concerning transportation planning activities will be open to the public and held in accessible locations that can accommodate the needs of persons with disabilities, and further all notices will offer the provision of special accommodations or auxiliary aids for those needing such assistance;
- Publish or otherwise make available for public review transportation plans, MTP's, TIPs including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web;
- Publish an annual listing of obligated projects in cooperation with the State and transit operator(s), and include investments in pedestrian walkways and bicycle transportation facilities for which federal funds have been obligated in the preceding year;
- Provide an opportunity for additional public comment if the MTP or TIP differs significantly from the plan which was made available for public comment or if the plan includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts;

- Demonstrate explicit consideration and response to the public input received during the planning, program development and public hearing processes;
- Coordinate Metro COGs public participation plan with statewide public participation plans to enhance public consideration and understanding of the issues, plans, and programs as well as to reduce redundancies and costs;
- Evaluate, on a periodic basis, Metro COGs public participation process to verify the following:
 - The process is open to all individuals with interest, the procedures of this policy are being implemented and followed in accordance with federal regulation and that the objectives/criteria set forth herein is administered appropriately by Metro COG.

PUBLIC PARTICIPATION PROCEDURES - DEVELOPMENT OF THE METROPOLITAN TRANSPORTATION PLAN (MTP)
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Per federal statute 23 CFR 450.322 MPO's are required to prepare and update a twenty (20) year - long range transportation plan at least every five (5) years for metro communities identified as attainment areas (i.e. Fargo-Moorhead Metropolitan Plan Area (MPA)). At minimum, the plan shall include the following:

- Existing and proposed transportation facilities (including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways/bicycle facilities, intermodal connectors;
- Operational and management strategies;
- Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure;
- Environmental mitigation activities;
- Transportation and transit enhancement activities; and
- Financial plan and coordinated implementation matrix.

During the development or updating of Metro COGs Metropolitan Transportation Plan (MTP), or any sub elements thereof, the following outreach activities will be utilized as part of the public participation process. Each activity and the applicable plan related results will be incorporated within the appendices of the MTP.

Outreach Activity: Metro COG will utilize the “Interested and Affected Parties Contact List” whose input will be actively sought during the MTP development process. This list will be used to keep individuals, groups and agencies informed about the development of

the plan and to notify them about specific opportunities for public involvement. The list will include, but not limited to the following:

- Elected officials of cities, counties, and townships from within COGs study area;
- State and local agencies responsible for land use management;
- Planning commissions, traffic safety committees, transportation and transit advisory committees;
- Transportation users including bicycle, pedestrian, and disabled users;
- State and local environmental agencies/groups;
- State and local resource preservation and conservation agencies/groups;
- Freight generating businesses and freight hauling businesses;
- Public and private transit and taxi operators, including public and private demand responsive operators;
- Non-profit and human service agencies with low income, minority, elderly, disabled, and refugee clients;
- Neighborhood associations, citizens advisory committees, environmental organizations, historical/archeological preservation groups, toll authorities, freight haulers, permit agencies, parking authorities, park districts, school boards, developers, etc.;
- Traffic safety and enforcement agencies;
- Chambers of commerce; economic development organizations; and business representatives;
- Members of each State Legislature representing the study area;
- Appropriate state and federal agencies (ex., modal divisions of MnDOT and NDDOT, MPCA and ND Department of Health, FHWA, FTA, North Dakota Geological Survey, Minnesota Geological Survey);
- Individuals and groups with a demonstrated interest in transportation issues (see Public Participation Plan Outreach and Criteria, pg. 5 & 6, for additional information on ‘Interested and Affected Parties Contact List’);
- Members of Metro COGs Transportation Technical Committee and other interested local staff from within the study area;
- Contacts with local print and broadcast media and known external media with special client bosses (ex. Indian County Today newspaper);

- Outreach to traditionally under served groups (as noted by COGs Affirmative Action Agency list).

Procedures:

A. Public Notice - Metro COG will provide notice to the public of its intent to develop or update the MTP or any of its sub elements at the beginning of the preparation process. This notice will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation in the region, posted prominently on Metro COGs website, posted in local general purpose government buildings in the study area, and sent to those interested groups and agencies included on the list of "Interested and Affected Parties." Notified "Interested and Affected Parties" are requested by Metro COG to respond in the affirmative if they wish to be directly involved in the development of the MTP and the associated public participation activities. Only those "Interested and Affected Parties" that indicate such interest will be included in those activities identified below. Metro COG will also consider using other forms of public notice including press releases/newspaper articles, local access cable TV programming, email, etc. as deemed appropriate to disseminate public notice information.

At minimum, the notice will include the following information: a brief description of the anticipated planning process and actions to be taken; the Plan's purpose and affect on the region; a general schedule of the Plan's development or update; an explanation of the opportunities that will be available for public comment and participation, and Metro COG contact, if further information is desired.

B. MTP Advisory Committee(s) - Metro COG, at its discretion, may establish Advisory Committees to provide technical and policy guidance in the development of the draft MTP or any of its sub elements. Advisory Committees may include members of the Metro COG Technical Committee and Policy Board as well as other interested and affected parties. The purposes of the Advisory Committees is defined as follows: 1) to assist in identifying transportation system deficiencies and potential solutions; 2) to provide interested and affected parties the opportunity for direct involvement in the development of the Plan; and 3) to act as a conduit for information to and from broader community and agency interests. All Advisory Committee meetings will be open to the public and convened in handicapped accessible locations.

If an Advisory Committee is established it shall be the responsibility of Metro COG to ensure that it includes balanced representation from a variety of transportation and affirmative action interests. If an Advisory Committee is not established the Transportation Technical Committee and Policy Board shall actively serve in an advisory capacity during the Plan's development. Metro COG staff shall provide information to the Advisory Committee (or alternately to the Transportation Technical Committee and the Policy Board) in the form of handouts, summaries, draft plan sections, presentations and other means to facilitate informed input.

C. Alternative Formats for Metro COG Information – Metro COG has established a list of businesses and agencies that can produce materials in alternative formats (i.e., audio tapes, Braille, interpretative services, etc.). Any individual wishing to utilize this resource should contact Metro COG for an updated contact list.

D. Public Informational Meetings - At appropriate points during the development of the MTP, Metro COG will hold public information meetings to discuss aspects of the Plan, including transportation system deficiencies, alternative solutions, project priorities and other issues. All attempts will be made to set the time and place of such meetings for the convenience and maximum participation of the public. All meetings will be held at handicapped accessible locations.

Public notice for these meetings will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation in the region, posted in local general purpose government buildings in the study area, provided on Metro COGs web site, and sent to those on the list of "Interested and Affected Parties" that expressed interest, at least seven days prior to the meeting. All notices will offer the provision of special accommodations or auxiliary aids for those needing such assistance. To the maximum extent practicable, the MPO may use appropriate visualization techniques (such as those listed under Outreach Activities), or other approaches to foster effective public involvement.

E. Public Notice and Meeting on Draft Metropolitan Transportation Plan - Upon completion of the draft MTP, or any of its sub elements, Metro COG will schedule a public meeting on the document. Individuals and organizations identified on the "Interested and Affected Parties" list that previously indicated an interest will be notified and offered the opportunity to participate in and/or offer comment. The purpose of the meeting will be primarily for the Council to gather comments regarding the content of the draft MTP.

A public notice of the meeting shall be published, posted and distributed in the manner prescribed in (D) above. The notice will include at least the following information: a description of the Plan's purpose, coverage, timeframe; locations where the document can be reviewed or obtained; the time and place for oral or written comments; and a Metro COG contract, if more information is desired. The notice should encourage the submission of written comments by those unable to attend the meeting. A comment period of fifteen (15) days beginning from the published date of the meeting notice will be provided during which comments may be submitted for consideration. The draft MTP will be made available for inspection at the time of the meeting notice. Copies of the Plan shall be made available at accessible locations including the Metro COG office, and in at least four other publicized locations throughout the study area, as well as being made available in electronic format via the Metro COG website.

At the public meeting Metro COG will present the information developed and obtain comments regarding the contents of the draft Plan. A handout will be

made available to all meeting attendees summarizing the contents of the draft Plan. A brief presentation will be provided by the Metro COG staff at the meeting regarding the contents of the draft Plan. Metro COG staff will document attendance and all substantive comments received during the proceedings.

To the maximum extent practicable, the MPO may use appropriate visualization techniques (such as those listed under Outreach Activities), or other approaches to foster effective public involvement.

F. Preparation of Final Metropolitan Transportation Plan & Distribution -

With due consideration given to public comment or any other applicable information received from the previous procedural steps, Metro COG will prepare the final Plan. If substantive written or oral comments are received on the draft MTP, either through the public involvement process or through the interagency consultation process, a summary, analysis, and report of the disposition shall be included in the final Plan.

If the final MTP contains substantive changes from the one which was made available for public comment (see Section (E) above) or if the plan includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts, Metro COG will provide an additional duly announced public comment period on the revised draft MTP of not less than seven (7) days. A legal public notice will be published in The Forum of Fargo-Moorhead advertising this extended comment period and note where copies of the new information can be reviewed or obtained. The amended draft plan will be made available for review in electronic format via the Metro COG website. The final MTP will document the public involvement process, present a summary of all public comments received and demonstrate Metro COGs consideration and response to these comments.

Upon adoption by the Council, the final MTP will be made available to the public in its approved form. Metro COG will provide one copy of the final Plan to each member entity's planning office, one copy to every person on each member entity's planning commission, one copy to every person on each member entity's governing body, and maintain additional copies for distribution to, or review by interested parties at the Metro COG office. The final plan will also be made available in electronic format via the Metro COG website.

PUBLIC PARTICIPATION PROCEDURES - DEVELOPMENT OF THE METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

Per federal regulation 23 CFR 450.324 MPO's are required to prepare and update a transportation improvement program for the designated metropolitan planning area. The Transportation Improvement Program (TIP) is a short term program that must be updated pursuant to federal requirements annually, contemplate a four (4) year operating cycle

and include any proposed federally funded project. At minimum, the plan shall include the following:

- A list identifying all regionally significant projects requiring action by the FHWA or FTA within the defined four year period after the initial adoption of the TIP;
- A financial plan demonstrating how the approved TIP can be implemented and an indication of resources (public or private) that can be reasonably expected in order to finalize the project;
- Identification of other financial alternatives/strategies to implement projects;
- A list identifying additional projects that would be included in the approved TIP if reasonable additional resources beyond the funds recognized in the required financial plan were available; and
- An outline of project descriptions and applicable project phases.

During the update process of Metro COGs Metropolitan Transportation Improvement Program (TIP), or any sub elements thereof, the following outreach activities will be utilized as part of the public participation process.

Outreach Activity: Metro COG will utilize the “Interested and Affected Parties Contact List” whose input will be actively sought during the TIP development process. See detailed outline under MTP.

Procedures:

A. Public Notice - Metro COG will provide notice to the public of its intent to develop the annual TIP at the beginning of the preparation process. This notice will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation in the region, posted in local general purpose government buildings in the urban area, provided on Metro COGs web site, sent to private transit agencies (in lieu of previous FTA private sector involvement regulations), and to the groups and agencies included on the list of "Interested and Affected Parties" (see MTP procedures). Notified “Interested and Affected Parties” are requested by METRO COG to respond in the affirmative if they wish to be directly involved in the development of the TIP and the associated public participation activities. Only those “Interested and Affected Parties” that indicate such interest will be included in those activities identified below. This notice shall be provided at least seven (7) days prior to the meeting. All notices will offer the provision of special accommodations or auxiliary aids for those needing such assistance. Additionally, all meetings will be held in handicapped accessible facilities.

At minimum, the notice will include the following information: the purpose of the TIP, a brief description of the anticipated planning process and actions to be

taken; the location where locally proposed project lists can be viewed or secured; the time and place to obtain information or provide public input on the preliminary proposals; and Metro COG contact if further information is desired. A comment period of ten (10) days beginning from the published date of the meeting notice will be provided during which written comments may be submitted for consideration. Metro COG will compile these oral and written comments. The comments will be provided to each jurisdiction and the Policy Board prior to their approval and subsequent to the submission of candidate projects to the NDDOT or MnDOTs West Central Area Transportation Partnership.

B. Public Notice and Meeting on Draft Metropolitan Transportation Improvement Program - Upon completion of the draft Transportation Improvement Program Metro COG will schedule a public meeting on the document. Individuals and organizations identified on the "Interested and Affected Parties" list that previously expressed interest, and all known private transit operators will be notified and offered the opportunity to participate and/or offer comment. The purpose of the meeting will be primarily for the Council to obtain comments regarding the content of the draft Transportation Improvement Program.

A public notice of the meeting shall be published, posted and distributed in the manner prescribed in Section (D) MTP Procedures. The notice will include at least the following information: a description of the draft TIPs function, coverage and timeframe; the locations where the document can be reviewed or obtained; the time and place for oral and written comments; the date of Policy Board consideration of the draft document and Metro COG contact if more information is desired. The notice will encourage the submission of written comments by those unable to attend the hearing. A comment period of ten (10) days beginning from the date of the meeting notice will be provided during which comments may be submitted for consideration. The draft TIP will be made available for inspection at the time of the meeting notice. Copies of the draft TIP will be made available at accessible locations including the Metro COG office and in at least four other publicized locations throughout the urban area, as well as being made available for review in electronic format via the Metro COG website.

At the public meeting Metro COG will present the information developed and obtain comments regarding the contents of the draft TIP. A handout will be made available to all meeting attendees summarizing the contents of the draft TIP. A brief presentation will be provided by the Metro COG staff at the meeting regarding the contents of the draft TIP. Metro COG staff will document all substantive comments received during the proceedings. All comments will be compiled and this information provided to the Policy Board prior to its deliberations on the draft TIP. The Council will consider all input and then adopt a draft TIP which will be forwarded for use by each State DOT (NDDOT & MNDOT) during the development of its draft Statewide Transportation Improvement Program (STIP).

To the maximum extent practicable, the MPO may use appropriate visualization techniques (such as those listed under Outreach Activities), or other approaches to foster effective public involvement.

C. Preparation of Final Metropolitan Transportation Improvement Program & Distribution -Each State will provide the Council a copy of its draft State Transportation Improvement Program (STIP) and invite Metro COGs review and comment (citizen involvement regarding each State's TIP will be the responsibility of each DOT; however, its early stages should be coordinated with the MPO). Upon each State's review of Metro COGs comments the DOTs may finalize any necessary adjustments/modifications. SAFETEA-LU requires that METRO COG prepare its final TIP in a manner that reconciles any remaining variances with the STIPs.

Additionally, if substantive written or oral comments are received on the draft STIP or final TIP, either through the public involvement process or through the interagency consultation process, a summary, analysis, and report of the disposition shall be included in the final TIP.

If the final TIP contains substantive changes from the one which was made available for public comment (see Section B & C above) or if the plan includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts, Metro COG will provide an additional duly announced public comment period on the revised TIP of not less than seven (7) days. A legal public notice will be published in The Forum of Fargo-Moorhead advertising this extended comment period and note where copies of the new information can be reviewed or obtained. The amended final TIP will be made available for review in electronic format via the Metro COG website.

Upon completion of the public comment period the final TIP will be forwarded to Council for action. If adopted by the Council the final TIP will be made available to the public in its approved form. Metro COG will provide a copy of the final TIP to each member entity's planning office, one copy to every person on each member entities planning commission, one copy to every person on each member entities governing body, and maintain additional copies for distribution to, or review by interested parties at the Metro COG office. The final TIP will also be made available for review in electronic format via the Metro COG website.

<p style="text-align: center;">PUBLIC INVOLVEMENT PROCESS - AMENDING THE METROPOLITAN TRANSPORTATION PLAN (MTP) AND METROPOLITAN TRANSPORTATION IMPROVEMENT PLAN (TIP)</p>

Federal regulation 23 CFR 450.322 requires MPO's to prepare and update a twenty (20) year long range transportation plan every five (5) years for metro communities identified as attainment areas. Additionally, federal regulation 23 CFR 450.324 requires that MPO's prepare and update a TIP for the metropolitan planning area (MPA) annually with a four

(4) year horizon. At which time any major amendments to either the MTP or the TIP are proposed (administrative amendments exempt) during the period between updates, Metro COG will at a minimum, carry out the following portions of its regular public involvement process; consistent with federal requirements as defined within 23 CFR 450.

- Administrative Amendments are inclusive of technical corrections or administrative modifications that do not require a coordinated review by the MPO, FWHA and FTA or a determination of conformity by these entities (i.e. re-demonstration of fiscal constraint). To note, pursuant to federal regulation proposed Administrative Amendments may require coordination with the respective State DOT. Technical corrections shall be inclusive, but not limited to the following: descriptive material, forecasts, data bases, project costs, project descriptions, time frames or any other related administrative modification.
- Adding or deleting a project that exceeds the lesser of 15% of total federal funding programmed for the calendar year or 1 million dollars is considered a major amendment and is subject to the requirements of the public involvement process.

Procedures:

A. Public Notice - Metro COG will schedule a public meeting on any substantive amendment to the MTP or TIP requiring the addition, deletion, or change in the scope of a project which is proposed. A public notice of the meeting will be published or posted, and distributed in the manner prescribed in Section (D) MTP Procedures. The notice will include at least the following information: announcement to the public of the intent to amend the MTP or TIP; a brief description or summary of the amendment(s) proposed and actions to be taken; the reasons the amendment is being proposed; the locations where the amendments can be reviewed or obtained; details of the meeting itself including date, time and location; and a Metro COG contact if further information is desired.

A comment period of fifteen (15) days beginning from the published date of the meeting notice will be provided during which comments may be submitted for consideration. The proposed amendments to the MTP or TIP will be made available for inspection at the time of the meeting notice. Copies of the proposed TIP or MTP amendments will be available at accessible locations including the Metro COG office and in at least four other publicized locations throughout the study area, as well as being made available for review in electronic format via the Metro COG website.

At the public meeting Metro COG will present the amendment(s) and accept any comments from the public. A handout will be made available to all meeting attendees summarizing and explaining the amendment(s). To the maximum extent practicable, the MPO may use appropriate visualization techniques (such as those listed under Outreach Activities), or other approaches to foster effective

public involvement. Metro COG staff will document all substantive comments received during the proceedings.

B. Preparation of Metropolitan Transportation Plan or Metropolitan Transportation Improvement Program Amendments & Distribution - If substantive written or oral comments are received on the proposed amendment(s), either through the public involvement process or through the interagency consultation process, a summary, analysis, and report of the disposition of those comments shall be included in the final amendment (to the MTP or TIP) and forwarded to the Policy Board for consideration.

If the final amendment contains substantive changes from the one which was made available for public comment (see Section A above) or if the amendment includes new material issues which interested parties could not reasonably have foreseen from the earlier public involvement efforts, the MPO will hold an additional duly announced public comment period on the revised amendment(s) of not less than seven (7) days. A legal public notice will be published in The Forum of Fargo-Moorhead advertising this extended comment period and note where copies of the new information can be reviewed or obtained.

The final amendment(s) to the MTP or TIP shall include a summary of all public comments received and Metro COGs considerations and response to these comments. If adopted by the Council, the final amendments to the MTP or TIP will be made available to the public in their approved form. Metro COG will provide one copy to each member entity's planning office, and maintain additional copies for distribution to or review by interested parties at the Metro COG office. For those amendments determined to be of major significance, a legal public notice announcing the availability of the approved amendment will be published in The Forum of Fargo-Moorhead, the newspaper of general circulation for the region.

PUBLIC PARTICIPATION PROCEDURES FOR GENERAL PLANNING STUDIES

SAFETEA-LU regulations concerning the preparation of a MPOs Metropolitan Transportation Plan, TIP and auxiliary amendments are prescriptive; however, Metro COG will also endeavor to assure satisfactory citizen involvement in its other general transportation planning activities. In this regard, Metro COG will make reasonable efforts to meet the goals and objectives of this Public Participation Plan when preparing various technical reports and other studies associated with, or implementing its transportation planning process.

ENVIRONMENTAL JUSTICE/IMPACT ASSESSMENT

In 1994 President Clinton signed Executive Order 12898 which effectively secured Environmental Justice as federal policy. In summary, the order designated the U.S.

Environmental Protection Agency as the entity with direct oversight and authority in regards to administrating the implementation of the executive order into all major federal departments/agencies. In 1997 the U.S. Department of Transportation issued its final order (U.S. DOT 1997) which specifically addressed environmental justice for minorities and low income populations with the intent to ensure that all federally funded transportation projects/programs do not bring disproportionately high or negative impacts on these populations.

Per federal mandate MPO's are directed to seek and consider the needs/interests of individuals, groups and communities that are traditionally underserved by the transportation system (highway & transit), policies and financial investments. The following is representative of public involvement procedures utilized by Metro COG to facilitate this critical component:

- Provide ample opportunity through effective public notices and outreach activities to engage this segment of the population or their respective representation in the early planning phases of a project which may include the formation of a specific Environmental Justice Task Force to provide input on the development of transportation plans;
- Utilize the "Interested and Affected Parties Contact List" to identify all interest groups with the intent to foster relationships with relevant agencies and to establish direct contact for feedback on federally funded transportation projects/programs from these agencies;
- Identify concentrations of low income and minority populations by geographically mapping demographic data by transportation analysis zone;
- Utilize geographical information systems (GIS) to map all federally funded projects in relation to low income and minority areas with an intent to identify, highlight and analyze projects within these areas; respective to the MTP or TIP;
- Investigate the impacts of transportation projects on these populations and work with interest groups and/or neighborhood organizations to explore alternatives;
- Incorporate environmental justice considerations into MTP and TIP criteria to ensure these issues are addressed in the early phases of the planning process.

ANNUAL ASSESSMENT

The Council will complete an annual assessment of its public participation program during the Transportation Improvement Program's self-certification process. The assessment will review the level of public participation in any Metro COG modal plan or major Metro COG transportation study completed during the year. This will be

accomplished by providing quantitative and qualitative data on the measures taken to reach target populations to promote participation, numbers of persons participating, estimates of special disadvantage groups represented in these planning processes and an analysis (using GIS) of the relationship of these studies/projects to areas with concentrations of low income or minority populations (see Environmental Justice/Impact Assessment Section). Metro COG pass through study grantees, as a provision of their contracts (beginning in 2002) will also be required to supply similar information to Metro COG during their quarterly progress/reimbursement reports to help fully document public participation and to assure grantees' adherence to SAFETEA-LU public participation regulations. Furthermore, all Metro COG internal or pass through studies or plans will document the specific citizen participation process(es) utilized and their result.

PUBLIC PARTICIPATION POLICY UPDATE

METRO COG will complete a Public Participation Plan evaluation every five years to coincide with the five-year Metropolitan Transportation Plan (MTP) update cycle. The evaluation will be completed one year before the initiation of the new MTP, so as to assure that a new and fully adequate public involvement process is in place prior to the beginning of the MTP update. The evaluation will include: a review by Metro COG of any new federal or state public participation requirements, consideration of any input provided by Metro COGs cognizant federal and state agencies, the results of annual public participation assessments (completed during Metro COGs annual TIP self certification process) which may identify deficiencies or issues, and a review of any public comments obtained during the period that pertain to the adequacy of Metro COGs public participation procedures.

The evaluation will be organized into a report available for public review, and it will be presented to the Transportation Technical Committee and Policy Board for official action. As noted within this policy document the Public Participation Plan is specifically outlined to establish compliance with the federal legislation SAFETEA-LU. Metro COG anticipates further updates to this Public Participation Plan upon the federal government finalizing the next surface transportation bill.